

### REMARKS

The Applicants respectfully thank the Examiner for the indication of allowance of the subject matter of claims 8, 10, and 11. Accordingly, Applicants are submitting new claims 12, 13, and 14 which include the subject matter of claims 8, 10, and 11, respectively.

Furthermore, Applicants respectfully request a reconsideration of the rejection of claims 6, 7, and 9. This Amendment amends claim 6 and 9 to include patentable distinctions not found in the art. Claims 7-11 directly or indirectly depend on amended claim 6 or amended claim 9. A total of 9 claims remain in the case.

Claim 10 is amended for a proper antecedent basis in view of the amendments made to claim 9. That is, the word "the" has been replaced with the word "a".

#### Claim Rejection Under 35 U.S.C. §102

Claims 6, 7, and 9 are rejected under 35 U.S.C. §102(b) as being anticipated by Takeda et al. U.S. Patent No. 6,935,141 (the Takeda reference).

Claim 6 has been amended to recite that the knitted portion of the toe housing portion is cylindrical. This knitted portion is formed by forward knitting. This amendment to claim 6 is clearly supported in paragraph [0029] of the specification. Namely, as described: "The forward knitting is cylindrical knitting around an opening end 14 of the instep portion 12 of the cylindrically knitted portion 10 from an end of the contour of the back portion 21 of the toe housing portion 20..."

Claim 9 has been amended to more specifically and more clearly recite the steps involved in forming the cylindrically knitted portion recited in amended claim 6. These amendments to method claim 9 find support from the disclosure appearing in paragraphs [0027]-[0032] of the specification. As recited in amended claim 9, the step of knitting the toe housing portion includes the step of forwardly knitting a cylindrical knitted portion between the invertedly knitted, substantially planar trapezoidal front and back portions. This recited method of knitting the inventive sock of claim 6 will be described in detail with reference to the attached drawings wherein Fig. 1 illustrates the steps involved in the method of knitting the sock of the present invention.

### The Invention

With regard to manufacturing the sock of the invention, in each view of Steps 1-4 of the attached Fig. 1, the shaded portions are the portions being knitted. First, as shown in Step 1, the sock knitting machine is used for knitting a sole portion 11 and an instep portion 12 integrally by forward knitting, thereby knitting a cylindrical knitted portion 10. Next, as shown in Step 2, the machine is operated to knit a back portion 21 of a toe housing portion 20 continuously from one of the sole portion 11 and the instep portion 12 (the sole portion 11 is the illustrated example) of the cylindrical portion 10, by inverted knitting, with changing knitting widths, whereby the back portion 21 is formed as a substantially planar trapezoidal portion, with progressively reduced width toward the toe of the sock. Next, as shown in Step 3, a knitted portion 25 is formed by forward knitting. This forward knitting is performed so as to form a cylindrical knitted portion 25 (including a portion 25a) extending continuously around, i.e., in the form of a loop, from an outer edge of the back portion 21 of the toe housing portion 20 and an open edge 14 of the instep portion 12 of the cylindrical knitted portion 10. Lastly, as shown in Step 4, continuously from this knitted portion 25, a front portion 22 of the toe housing portion 20 is formed by inverted knitting, from the toe side toward the instep portion 12, with changing knitting widths, whereby the front portion 22 is formed as a substantially planar trapezoidal portion, with progressively reduced width toward the toe of the sock. Finally, the front portion 22 is knitted and joined with the portion 25a of the cylindrical knitted portion 25 which portion 25a is not joined with the back portion 21. This completes the sock of the claimed invention having the cylindrical knitted portion 25 in the toe housing portion as claimed in amended claim 6.

As described in the preceding paragraph, according to the invention, the toe housing portion consists essentially of the invertedly knitted front portion, the invertedly knitted back portion and the forwardly knitted cylindrical knitted portion therebetween. The cylindrical shape of the knitted portion provides additional thickness not only on the big toe side, but on the small toe side of the sock, thus increasing the thickness of the entire toe housing portion, which is the characterizing feature of the invention.

### The Takeda Reference

The Takeda reference discloses a sock which has a shape similar to the foot of a human having a big toe longer than the other toes, thus giving greater comfort to the wearer, and discloses a method for manufacturing such a sock. Applicants submit that the invention of the Takeda reference is completely different from the present invention. The method of manufacturing the sock of the Takeda reference is described with regard to the attached Fig. 2.

The attached Fig. 2 illustrates the steps involved for manufacturing the sock of the Takeda reference. These details are found in column 6, line 21 - column 7, line 58 of the Takeda reference. Step 1 of the Takeda reference is similar to Step 1 of the present invention. In Step 1 of the Takeda reference, the knitting machine is operated for integrally knitting a sole part 12a and an instep part 12b by forward knitting, thus forming a cylindrical knitted portion. However, the subsequent steps of the Takeda reference differ significantly from those of the present invention. Namely, the subsequent steps of the Takeda reference all involve inverted knitting steps. First, continuously from the sole portion 12a, knitting is performed by inverted knitting so as to form a planar trapezoidal portion tapered toward the toe portion of the sock. As shown in Steps 2-4, in order to form a first gusset portion for providing greater bulging on the big toe side than that on the little toe side and a second gusset portion for extending the big toe side without substantially extending the little toe side, a sole side part 22a of the first gusset portion and a sole side part 24a of the second gusset part are formed sequentially by inverted knitting. Next, as shown in Steps 4-6, an instep side part 24b of the second gusset portion and an instep side part 22b of the first gusset part are formed sequentially by inverted knitting, and finally jointed to the instep part 12b.

As described hereinabove, for the sock of the Takeda reference, the toe housing portion is formed entirely by inverted knitting. As described in column 4, line 9 - line 22 of the Takeda reference, the invention of the Takeda reference is characterized essentially in that the first gusset part provides the greater bulging on the big toe side than the little toe side and the second gusset part allows the big toe side and the little toe side of the toe portion to be formed with lengths corresponding to the lengths of the big toe side and the little toe side of a human foot.



Comparisons between the Present Invention and the Takeda Reference

Both the present invention and the Takeda reference provide a “toe housing portion” in a sock or hosiery. However, these toe housing portions have different constructions. With regard to the present invention, the toe housing portion is comprised of invertedly knitted front and back portions and a forwardly knitted, cylindrical knitted portion therebetween. The knitted portion is formed cylindrical as being knitted forwardly, which provides increased thickness not only on the big toe side, but the entire small toe side, hence, allowing an increased thickness of the entire toe housing portion. This is said to cause no feeling of tightness or pressure in the tips of the small toes when a toe is housed therein, thus providing comfort to the wearer.

The toe housing portion disclosed in the Takeda reference is formed entirely of inverted knitting, and not formed “cylindrical” as defined in the present invention, whereby the toe housing portion of the Takeda reference has a greater bulging on the big toe side than on the small toe side. Further, as shown in Fig. 1B and as discussed in the detailed disclosure of the Takeda reference (column 7, line 64 - column 8, line 14) the connecting portion (gore line) is branched in the form of a “V”. Therefore, the construction used for realizing the increased thickness at the toe housing portion and the manufacturing method used in the Takeda reference are entirely different from that of the present invention.

Since the Takeda reference fails to suggest the characterizing feature of the claimed invention, particularly that of amended claims 6 and 9, Applicants believe that the present invention as recited in amended claims 6 and 9 is not anticipated by the Takeda reference nor is it obvious to one skilled in the art in view of the Takeda reference.

Compared to the Takeda reference, the present invention provides an aesthetically superior sock having no branched or conspicuous connecting portion (gore line) on the side of the toe housing portion, and also provides a superior manufacturing method thereof. In this respect, for the sock of the present invention, as the knitted portion is formed by forward knitting, the connection portions simply appear in parallel (paragraph [0040] of the specification) and the opening of the stitch spaces between wales is prevented (paragraph [0044] of the specification), both of which adds to the aesthetic appearance of the sock of the present invention. On the other

hand, the techniques disclosed in the Takeda reference cannot achieve the objects of the present invention, since the connecting portion (gore line) of the Takeda reference is branched in the form of a "V", as discussed hereinabove.

Thus, the invention of amended claims 6 and 9 include patentable distinctions not found in the Takeda reference. Claims 7-8 and 10-11 add further limitations to claim 6 or claim 9 and are believed to be patentable in view of their dependency on claim 6 or claim 9 which are believed to be patentable.

#### Allowable Subject Matter

Claims 8, 10, and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Accordingly, new claim 12 includes the subject matter of original claims 6 and 8. New claim 13 includes the subject matter of original claims 9 and 10. New claim 14 includes the subject matter of original claims 6, 7, and 11.

Conclusion

In view of the amendments to the claims and the above comments, Applicants submit that claims 6-11 are patentable over the Takeda reference. Claims 12, 13 and 14 include the subject matter of allowable claims 8, 10 and 11. Favorable action is respectfully requested at an early date.

Respectfully submitted,  
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Attachments: Figs. 1 and 2